

### **Remarks/Arguments**

Please reconsider the application in view of the above amendments and the following remarks.

### **Status of Claims**

Claims 15-23 are rejected. Claims 1-14 and 24-30 are allowed. Claims 15, 16 and 21 have been amended. Claims 1-30 remain pending.

### **Allowed Claims**

Applicant thanks the examiner for the careful consideration and allowance of claims 1-14 and 24-30. Although applicant agrees that these claims are allowable, applicant wishes to clarify the interpretation of the claims. Although the caller registry database and the preferred caller database are shown and claimed separately, applicant submits that a preferred caller database may be a subset of a caller registry database. Thus, the claims are not limited to two databases that are physically separated from one another. Even with this interpretation, applicant submits that the cited references, taken alone or together, fail to disclose or suggest a caller registry database that is established by callers registering.

### **Rejections under 35 U.S.C. §102**

Claims 15 and 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,359,970 to Burgess ("Burgess"). Applicant respectfully traverses this rejection.

Amended independent claim 15 recites "establishing a preferred caller database comprising caller identifying information for preferred callers selected by a subscriber from a caller registry database." As mentioned in the specification, a caller registry database is established by callers registering (see present specification, para. 0021). Caller registration enables callers to select their own unique private identifiers, which allows telephone calls to be screened properly regardless of the telephone line being used and without the caller having to remember a password provided by the user or called party (see present specification, para. 0051).

In contrast, Burgess discloses a communications control method and apparatus but fails to disclose a caller registry database or a caller registration process. Burgess discloses a caller database structure “to provide the Communications Controller with storage of incoming Caller ID data associated with the user’s set priority data for that particular caller type” (see Burgess, FIG. 3; col. 7, lines 26-31). This caller database structure includes a plurality of records 310, each including an incoming Caller ID (CID) field 300, a caller name field 301 and other fields used to prioritize and process calls (see Burgess, col. 7, lines 34-49). Although Burgess mentions other caller dependent identification information (e.g., speech/voice recognition data and/or image processing data), Burgess states “[w]ith today’s technology, the Caller ID is the call origination phone number” (see Burgess, col. 7, lines 50-52).

Burgess never discloses that the caller database structure shown in FIG. 3 is a caller registry database established by callers registering. Burgess also fails to disclose that the caller database structure is established by selecting preferred callers from a caller registry database. Thus, Burgess fails to disclose “means for establishing a preferred caller database comprising caller identifying information for preferred callers selected by a subscriber from a caller registry database,” as recited in amended independent claim 15. For this reason, applicant submits that independent claim 15 is not anticipated by Burgess and requests that the rejection of claim 15 under 35 U.S.C. 102(e) be withdrawn.

Amended independent claim 21 recites “code for searching a preferred caller database including encrypted private identifiers for a matching private identifier.” Because the private identifiers are unique to the caller, encryption may be used to prevent others from learning the callers’ private identifiers.

As mentioned above, Burgess discloses a caller database structure that includes a plurality of records 310, each including an incoming Caller ID (CID) field 300 and a caller name field 301. Burgess fails to mention that any of the fields in the caller database structure are encrypted. Thus, Burgess fails to disclose “code for searching a preferred caller database including encrypted private identifiers for a matching private identifier.” For this reason, applicant submits that independent claim 21, and claims dependent therefrom, are not anticipated by Burgess and requests that the rejection of claims 21-23 under 35 U.S.C. 102(e) be withdrawn.

### **Rejections under 35 U.S.C. §103**

Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burgess in view of Newton's Telecom Dictionary, 8<sup>th</sup> Ed ("Newton"). Claim 16 is also rejected under 35 U.S.C. 103(a) as being unpatentable over Burgess. Applicant respectfully traverses this rejection.

As discussed above, applicant submits that Burgess fails to disclose or suggest establishing a preferred caller database by selecting preferred callers from a caller registry database. Thus, Burgess also fails to disclose or suggest "a caller registration system access application for accessing a caller registry database over said data network and for selecting preferred callers from said caller registry database to establish a preferred caller database," as recited in independent claim 17.

The Office action refers to column 11, lines 50-60 of Burgess as disclosing such a caller registration access system. Applicant respectfully disagrees. The cited section of Burgess merely refers to the user inputting values such as user selected priority and blocking time. The user is the individual(s) screening the call, whereas the caller is the individual calling the user. There is no mention of a caller registry database or selection of records from a caller registry database to establish a preferred caller database.

The Office action also states that "Burgess discloses a single database that performs both the caller registry function (storing private identifiers for new callers) and selecting the preferred callers. Again, applicant respectfully disagrees. As mentioned above, the caller database structure disclosed and shown in FIG. 3 of Burgess does not perform a caller registry function. Nowhere does Burgess disclose that callers register and provide information such as private identifiers to the caller database structure shown in FIG. 3.

Even with the Newton teaching of a relational database, there would be no motivation to create a caller registry database and a preferred caller database from the caller database structure disclosed by Burgess. Quite simply, the caller database structure in Burgess does not perform a caller registry function and the desirability of such a function is not taught by Newton. A combination of Burgess with Newton would merely result in the caller database structure in Burgess being implemented as a relational database. Such a combination would fall short of the computerized telephone call screening system comprising "a caller registration system access

application for accessing a caller registry database over said data network and for selecting preferred callers from said caller registry database to establish a preferred caller database,” as recited in independent claim 17.

Because the combination of Burgess and Newton fails to teach or suggest all of the limitations recited in independent claim 17, applicant submits that the Office action fails to establish a *prima facie* case of obviousness. For this reason, applicant requests that the rejection of claims 17-20 under 35 U.S.C. 103 be withdrawn.

With respect to claim 16, applicant submits that this dependent claim is patentable for the same reason as independent claim 15. Moreover, applicant submits that the Office action fails to provide any motivation for encrypting private identifiers in a preferred caller database. Even if it is well known to encrypt identifiers sent over a telephone network, there is nothing to suggest that this would be desirable in Burgess. As mentioned above, Burgess does not disclose a caller registration process in which callers provide private identifiers to a caller registry database. Thus, there is nothing to suggest that it would be desirable to encrypt private identifiers that are provided by callers to a caller registry database. For this additional reason, applicant requests that the rejection of claim 16 under 35 U.S.C. 103 be withdrawn.

## **Conclusion**

The claims have been shown to be allowable over the prior art. Applicant believes that this paper is responsive to each and every ground of rejection cited by the Examiner in the Action dated February 17, 2004, and respectfully requests favorable action in this application. The examiner is invited to telephone the undersigned, applicant's attorney of record, to facilitate advancement of the present application.

Please apply any charges not covered, or any credits, to Deposit Account 50-2121 (Reference Number PRICE-001XX).

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Respectfully submitted,

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